

Mr. DEPUTY SPEAKER.—The question is:

“That the Madras Area Municipalities (Extension of term of Councillors) (Amendment) Bill, 1961 be passed.”

The motion was adopted.

Sri J. B. MALLARADHYA.—According to the order of business, the Bill regarding University has to be taken.

Sri KADIDAL MANJAPPA.—The other Bills are small and they may be taken. The Hon'ble Minister for Education is not here. So...

Sri J. B. MALLARADHYA.—You make a programme and you are not here, and when we want to change you do not agree.

Sri KADIDAL MANJAPPA.—In the meanwhile we can take up the other Bills.

Sri J. B. MALLARADHYA.—Look at the way you are doing things. The point is that the order of business has to be kept.

Sri KADIDAL MANJAPPA.—The Hyderabad Tenancy and Agricultural Lands Bill is a simple matter...

Sri J. B. MALLARADHYA.—All right Sir.

HYDERABAD TENANCY AND AGRICULTURAL LANDS (VALIDATION) BILL, 1961

Motion to Consider

†Sri KADIDAL MANJAPPA (Minister for Revenue).—I beg to move:

“That the Hyderabad Tenancy and Agricultural Lands (Validation) Bill, be taken into consideration.”

Mr. DEPUTY SPEAKER.—Motion moved:

“That the Hyderabad Tenancy and Agricultural Lands (Validation) Bill, 1961, be taken into consideration.”

Sri KADIDAL MANJAPPA.—Sir, sufficient time has not been given to the House in view of urgency. I request the Chair to waive the rule and I also request the Hon'ble Leader of the Opposition to co-operate with me, because, it is an urgent matter. The Andhra Pradesh High Court has held that the Hyderabad Tenancy and Agricultural Lands Act, 1950 as invalid, because it was not reserved for the assent of the President. Therefore, I request the Chair to waive the rule and permit the Bill to be taken into consideration.

Sir, this is a very simple measure. The Hyderabad Tenancy and Agricultural Lands Act, 1950 is in force in the Gulbarga Division. It is also in force in Hyderabad area. But the Andhra Pradesh High Court in a writ petition have held that this Act is ineffective and inoperative on the ground the Bill was not reserved for the consideration of the president at the time before it became law. Therefore it has

(Sri KADIDAL MANJAPPA)

become necessary to place before this House this Bill for the validation of the Act and the action taken thereon. If the Bill is not passed, thousands of agriculturists will be affected. No doubt, it is quite possible to argue that the decision of the Andhra Pradesh High Court is not minding on Mysore State. But if some Writ petition in Mysore High Court is filed, we may find it difficult to defend ourselves.

Sri V. SRINIVASA SHETTY.—When did the High Court of Andhra gave that judgment ?

Sri KADIDAL MANJAPPA.—Some months ago. I do not exactly remember the date. It is a non-controversial measure. The Bill was passed before the States Re-organization there and we are not to be held responsible for the defect. It is a non-controversial and I commend the same for the kind consideration of the House.

Sri G. VENKATAI GOWDA.—If the Andhra High Court has held it invalid, it applies to Andhra Pradesh. I want to know whether anybody has raised an objection so far as this Act prevailing in Hyderabad parts in Mysore State is concerned, and whether in the High Court of Mysore, there is any decision in regard to this matter.

Sri J. B. MALLARADHYA.—As a measure of abundant caution, they are taking action now.

Sri KADIDAL MANJAPPA.—Certainly, if the Andhra Pradesh High Court has come to one view, we are sure the other High Court will come to one view, we are sure the other High Court will come to that view also.

Sri G. VENKATAI GOWDA.—I want to know whether that matter has been taken to the High Court of Mysore.

Sri KADIDAL MANJAPPA.—Now till now. But we want to avoid a contingency of our High Court giving verdict against us.

Mr. DEPUTY SPEAKER.—The question is:

“That the Hyderabad Tenancy and Agricultural Land (Validation) Bill, 1961, be taken into consideration.”

The motion was adopted.

Mr. DEPUTY SPEAKER.— The question is:

“That Clauses 2 and 3 stand part of the Bill.

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. DEPUTY SPEAKER.—The question is:

“That Clause 1, the Preamble and the Short Title stand part of the Bill.”

The motion was adopted.

Clause 1, the Preamble and the Short Title were added to the Bill.”

Motion to pass.

Sri KADIDAL MANJAPPA.—Sir, I beg to move :

“That the Hyderabad Tenancy and Agricultural Lands (Validation) Bill, 1961 be passed.”

Mr. DEPUTY SPEAKER.—The question is :

“That the Hyderabad Tenancy and Agricultural Lands (Validation) Bill, 1961 be passed.”

The motion was adopted.

MYSORE UNIVERSITY (SECOND AMENDMENT) BILL, 1961.

Motion to consider.

†Sri ANNARAO GANAMUKHI (Minister for Education).—Sir, I beg to move :

“That the Mysore University (Second Amendment) Bill, 1961 be taken into Consideration.”

Mr. DEPUTY SPEAKER.—Motion moved :

“That the Mysore University (Second Amendment) Bill, 1961 be taken into Consideration.”

†Sri ANNARAO GANAMUKHI.—Sir, the object of this amending Bill is to enable the Mysore University to borrow funds from the U.G.C. or the Government of India or any other Government. The University has undertaken many developmental activities including the construction of hostels and staff quarters. The U.G.C. was approached for providing loans to the University but it took objection saying that there was no provision in the University Act. Therefore, it did not agree to give the required loan. So, this amending Bill has been brought before this august House for its consideration.

†Sri J. B. MALLARADHYA (Nanjangud).—Sir, the Hon'ble Education Minister has brought this Bill before this House. I do not know whether the full implications of this amending Bill have been adequately appreciated by the Government and the University. It is common knowledge that the University is actually functioning by and large on the grants given by the Mysore Government and this University has been functioning for a period of over 43 years and the necessity for borrowing has never arisen. I am fully aware that development schemes